

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOAN O'MEARA, guardian for )  
Cynthia Susan O'Meara, a protected )  
person, MARVIN GERDES, )  
husband, guardian for Kimberly Anne )  
Gerdes, a protected person, RUTH A. )  
GERDES, wife, guardian for )  
Kimberly Anne Gerdes, a protected )  
person, ANN MARIE THURMOND, )  
guardian for Robert Nelson )  
Thurmond III, a protected person, )  
BARBARA ANN HYDE, guardian )  
for Denise Lynette Hyde, a protected )  
person, KATHLEEN J. SEILER, )  
guardian for Dawn Renee )  
Bohuslavsky, a protected person, and )  
JUDITH BOTTS, guardian for Julie )  
Helmly, a protected person, )

Plaintiffs, )

V. )

DAVE HEINEMAN, JOAN )  
SCHAEFER, M.D., JOHN C. )  
WYVILL, and RON STEGEMANN, )

Defendants. )  
\_\_\_\_\_ )

8:09CV157

**ORDER**

This matter is before the court on Defendants' motion for an order sealing the Evidence Index and related exhibits and supporting brief filed by Defendants in connection with their Motion for Summary Judgment. ([Filing 60](#).) Defendants contend that the sealing of these documents is necessary because they contain references to protected health information relative to Plaintiffs in this action and,

further, that redaction would not be feasible. Having reviewed the matter, the motion will be granted.

IT IS ORDERED:

1. Defendants' motion to file under seal pursuant to NECivR 7.5 ([filing 60](#)) is granted; and

2. Defendants' brief in Support of Motion for Summary Judgment ([filing 57](#)) and Defendants' Evidence Index in Support of Motion for Summary Judgment and the attached evidence ([filing 59](#)) are hereby placed under seal and access is restricted to the court and the parties to this action, including counsel of record.

July 13, 2010.

BY THE COURT:

*Richard G. Kopp*

United States District Judge